

REMARKS

Applicant respectfully requests favorable reconsideration of this application, as amended.

By this Amendment, Applicant has amended Claims 9, 12, 14, and 17. Claims 11 and 16 have been canceled herein without prejudice or disclaimer. Claims 2, 4, 7, 10, 15, and 19 were previously canceled without prejudice or disclaimer. Claims 1, 3, 5, 6, 8, 9, 12, 13, 14, 17, 18, 20, and 21 are pending.

In the Office Action mailed September 19, 2006, Claims 1, 3, 5, 6, 8, 9, and 11-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,567,081 to Li et al. (“*Li*”) in view of U.S. Patent No. 5,640,496 to Hardy et al. (“*Hardy*”); and Claims 14, 16-18, 20, and 21 were rejected under 35 U.S.C. § 103(a) over *Li* and *Hardy*, and further in view of U.S. Patent No. 6,515,673 to Hashimoto et al. (“*Hashimoto*”).

Applicant respectfully requests these rejections be withdrawn.

In particular, Applicant respectfully traverses the rejection of Claim 1. It is apparent that *Li* and *Hardy*, whether taken alone or in combination, fail to teach or suggest a system including, for example, means for storing compressed graphic data in a memory, the memory including a linked list that includes a plurality of nodes, where each node comprises a field flag which flags the node as unused if the node does not include compressed graphic image data for the graphic image of interest (emphasis added). The Court of Appeals for the Federal Circuit has interpreted the words “‘specified’ and ‘each’ [to] reaffirm that [] claims require individual device-by-device association.” *Microstrategy, Inc. v. Business Objects S.A.*, 429 F.3d 1344, 77 U.S.P.Q.2d 1001, 1005 (Fed. Cir. 2005) (emphasis added). Thus, as emphasized above, and in view of

Microstrategy, Applicant's Claim 1 requires individual node-by-node inclusion of field flags.

As acknowledged in the Office Action, *Li* fails to teach or suggest the above-noted elements of Claim 1. (*See* Office Action at 3.) In an attempt to cure the acknowledged deficiencies of *Li*, the Office Action alleges that *Hardy*'s "bit setting for a given pixel is akin to flagging a node to indicate its non-availability or availability for graphic image data (col. 9, lines 60-67)." *Id.* Applicant respectfully disagrees. *Hardy* merely discloses a memory structure 10 that includes memory blocks 38 which contain a free list of available nodes 39. *Hardy*, Figure 1. According to *Hardy*, the free list of available nodes "may be a bitmap within each memory block. The bitmap would specify which pixel value nodes are free and which are in use." *Id.* at col. 8, lines 25-27. Thus, although *Hardy* discloses that the free list (represented by a bitmap) specifies which pixel value nodes are free, it is apparent that *Hardy* does not teach or suggest that the nodes themselves each include a flag field. For at least this reason, *Hardy* fails to teach or suggest a system including, for example, means for storing compressed graphic data in a memory, the memory including a linked list that includes a plurality of nodes, where each node comprises a field flag which flags the node as unused if the node does not include compressed graphic image data for the graphic image of interest, as recited in independent Claim 1.

Moreover, *Hardy* discloses "overlayed" image data, but does not teach or suggest that this data is compressed graphic image data. *Id.* at col. 1, lines 6-10. *Hardy*, therefore, fails to teach or suggest flagging a node based on whether or not the node includes compressed graphic image data. For at least this additional reason, *Hardy* fails to teach or suggest the above-noted elements of independent Claim 1.

At least for the reasons presented above, *Hardy* fails to cure the above-noted deficiencies of *Li*. As such, *Li* and *Hardy*, whether taken alone or in combination, fail to teach or suggest a system including, for example, means for storing compressed graphic data in a memory, the memory including a linked list that includes a plurality of nodes, where each node comprises a field flag which flags the node as unused if the node does not include compressed graphic image data for the graphic image of interest, as recited in independent Claim 1. Accordingly, Applicant respectfully submits that independent Claim 1 is patentable over the combination of *Li* and *Hardy*.

Regarding independent Claim 9, without acceding to the rejection, Claim 9 has been amended to recite subject matter similar to that of independent Claim 1, and, while of different scope than independent Claim 1, Claim 9 is believed to be patentable at least for the reasons presented above with respect to independent Claim 1. Furthermore, Claims 3, 5, 6, 8, 12, 13, and 20 are believed to be patentable at least based on their respective dependence from independent Claims 1 or 9.

Furthermore, without acceding to the rejection of independent Claims 14 and 21 under 35 U.S.C. § 103(a), Applicant has amended these claims to include the limitations from canceled Claims 11 and 16. Therefore, at least for the reasons discussed above, Claims 14 and 21 are also believed to be patentable over *Li* and *Hardy*.

It is apparent that *Hashimoto* does not teach or suggest the aforementioned features discussed above with respect to independent Claims 1 and 9, nor does the Examiner rely on *Hashimoto* for such teachings in rejecting independent Claims 14 and 21. (See Office Action at 6-7.) Accordingly, Applicant respectfully submits that *Li*, *Hardy*, and *Hashimoto*, whether taken alone or in combination, fail to teach or suggest each and every element of amended independent Claims 14 and 21. As such, amended

independent Claims 14 and 21 are believed to be patentable over the combination of *Li*, *Hardy*, and *Hashimoto*. Furthermore, Claims 17 and 18 are believed to be patentable based on their dependence from Claim 14.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. A prompt Notice of Allowance is respectfully requested.

Applicant also asserts that the amendments to the claims do not introduce new matter; do not require further searching since their limitations were previously present in now canceled Claims 11 and 16; and place the claims into better condition for appeal.

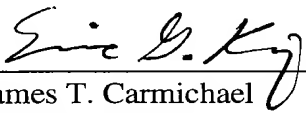
Should the Examiner believe that any further action is necessary to place this application in better form for allowance, the Examiner is invited to contact Applicant's representative at the telephone number listed below.

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The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T3497-10276US01) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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